

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1118 be amended to read as follows:

- 1 Page 21, delete lines 36 through 42, begin a new paragraph and
2 insert:
3 "SECTION 46. IC 7.1-3-22-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. ~~Dealers' Permits~~
5 ~~Limited:~~ (a) The commission may grant: ~~only~~
6 **(1) in an incorporated city or town that has a population of**
7 **less than fifteen thousand one (15,001):**
8 **(A) one (1) beer dealer's permit and for each two thousand**
9 **(2,000) persons, or a fraction thereof; or**
10 **(B) two (2) beer dealer's permits;**
11 **whichever is greater, within the incorporated city or town;**
12 **(2) in an incorporated city or town that has a population of**
13 **more than fifteen thousand (15,000) but less than eighty**
14 **thousand (80,000):**
15 **(A) one (1) beer dealer's permit for each three thousand**
16 **five hundred (3,500) persons, or a fraction thereof; or**
17 **(B) eight (8) beer dealer's permits;**
18 **whichever is greater, within the incorporated city or town;**
19 **and**
20 **(3) in an incorporated city or town that has a population of at**
21 **least eighty thousand (80,000):**
22 **(A) one (1) beer dealer's permit for each six thousand**
23 **(6,000) persons, or a fraction thereof; or**
24 **(B) twenty-three (23) beer dealer's permits;**
25 **whichever is greater, within the incorporated city or town.**
26 **(b) The commission may grant:**
27 **(1) in an incorporated city or town that has a population of**
28 **less than fifteen thousand one (15,001):**
29 **(A) one (1) liquor dealer's permit in an incorporated city, town**
30 **or unincorporated town for each one two thousand five**
31 **hundred (1,500) (2,000) persons, or a fraction thereof; or**

(B) two (2) liquor dealer's permit;
 whichever is greater, within the incorporated city or town; or
 unincorporated town;

(2) in an incorporated city or town that has a population of
 more than fifteen thousand (15,000) but less than eighty
 thousand (80,000):

(A) one (1) liquor dealer's permit for each three thousand
 five hundred (3,500) persons, or a fraction thereof; or

(B) eight (8) liquor dealer's permits;
 whichever is greater, within the incorporated city or town;
 and

(3) in an incorporated city or town that has a population of at
 least eighty thousand (80,000):

(A) one (1) liquor dealer's permit for each six thousand
 (6,000) persons, or a fraction thereof; or

(B) twenty-three (23) liquor dealer's permits;
 whichever is greater, within the incorporated city or town.

(c) The commission may grant in an area in the county outside
 an incorporated city or town:

(1) one (1) beer dealer's permit for each two thousand five
 hundred (2,500) persons, or a fraction thereof, or two (2) beer
 dealer's permits, whichever is greater; and

(2) one (1) liquor dealer's permits for each two thousand five
 hundred (2,500) persons, or a fraction thereof, or two (2)
 liquor dealer's permits, whichever is greater;

within the area in a county outside an incorporated city or town.

(d) Notwithstanding subsections (a), (b), and (c), the commission
 may renew or transfer a beer dealer's or liquor dealer's permit for
 a beer dealer or liquor dealer that:

(1) held a permit before July 1, 2008; and

(2) does not qualify for a permit under the quota restrictions
 set forth in subsection (a), (b), or (c).

(e) Notwithstanding subsection (a) or (c), the commission may
 grant not more than two (2) new beer dealer's permits or five
 percent (5%) of the total beer dealer permits established under the
 quota restrictions set forth in subsection (a) or (c), whichever is
 greater, for each of the following:

(1) An incorporated city or town that does not qualify for any
 new beer dealer's permits under the quota restrictions set
 forth in subsection (a).

(2) An area in a county outside an incorporated city or town
 that does not qualify for any new beer dealer's permits under
 the quota restrictions set forth in subsection (c).

(f) Notwithstanding subsection (b) or (c), the commission may
 grant not more than two (2) new liquor dealer's permits or five
 percent (5%) of the total liquor dealer permits established under
 the quota restrictions set forth in subsection (b) or (c), whichever
 is greater, for each of the following:

- 1 **(1) An incorporated city or town that does not qualify for any**
2 **new liquor dealer's permits under the quota restrictions set**
3 **forth in subsection (b).**
4 **(2) An area in a county outside an incorporated city or town**
5 **that does not qualify for any new liquor dealer's permits**
6 **under the quota restrictions set forth in subsection (c)."**
7 Delete pages 22 through 23.
8 Page 36, line 29, strike "December 31, 2010." and insert "**December**
9 **31, 2011.**".
10 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1118 as printed February 22, 2008.)

Senator WEATHERWAX